

James S. Dittmar, P.C.  
617.570.1944  
jdittmar@  
goodwinprocter.com

Goodwin Procter LLP  
Counsellors at Law  
Exchange Place  
Boston, MA 02109  
T: 617.570.1000  
F: 617.523.1231

November 19, 2004

Honorable Mark L. Wolf  
United States District Court  
for the District of Massachusetts  
John Joseph Moakley U.S. Courthouse -  
Room 5110  
1 Courthouse Way  
Boston, MA 02210

**Re: *Bennett, et al v. Fidelity Management & Research Co., et al* - 04-cv-11651-MLW and  
*Haugen, et al v. Fidelity Management & Research Co., et al* - 04-cv-11756-MLW**

Dear Judge Wolf:

We are counsel for defendants in the two referenced actions pending before you. These actions present a claim under the Investment Company Act that excessive management fees have been charged to five mutual funds in the Fidelity Investments family of funds. These two cases have been assigned to you pursuant to motion under Local Rule 40.1(I).

There are also now pending in the district five separate cases that all allege a variety of class and derivative claims relating to mutual fund distribution practices. These cases are brought under an assortment of state and federal laws, purportedly on behalf of more than 200 Fidelity mutual funds against 25 named defendants. These cases had been assigned to Judge Stearns as related cases, but they were recently reassigned to three other judges when Judge Stearns recused himself. We are counsel for the Fidelity defendants in those actions.

Recently plaintiffs in the second group of cases filed a Notice of Pending Motions in Related Cases. Because they filed this notice in the two cases assigned to you, as well as in the cases in which they are parties, we are submitting to you a courtesy copy of the Response of the Fidelity Defendants.

Respectfully yours,

/s/ James S. Dittmar, P.C.  
James S. Dittmar, P.C.

JSD:jtd  
Enclosure  
CC: All Counsel of Record